

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

PAUL ALLEN ADAMS,

Plaintiff,

Case No. 18-cv-1557-pp

v.

DR. CHARLES LARSON, DEBORAH TIDQUIST,
ANTHONY HENTZ, PAULINE HULSTEIN
and DR. FERN SPRINGS,

Defendants.

ORDER DISMISSING CASE

On June 8, 2022, less than a week before a long-delayed trial was scheduled to begin, the plaintiff's counsel notified the court that the plaintiff had passed away and asked the court to cancel the trial. Dkt. No. 153. Counsel indicated that under Wisconsin law, the plaintiff's claims survived his death and that his estate might substitute as plaintiff. Id. He indicated that he was unsure who the plaintiff's personal representative or heirs might be and asked for ninety days to file and serve a motion to substitute the proper party or notify the court that no substitution would be made. Id.

The court granted plaintiff's counsel's request, removed the trial from the calendar and ordered that by the end of the day on September 6, 2022, counsel for the plaintiff, the plaintiff's personal representative or the plaintiff's heirs file a motion for substitution or notify the court that no such motion would be filed. Dkt. No. 154.

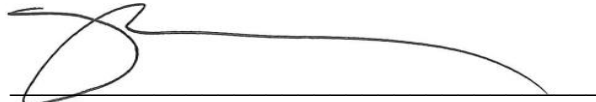
Counsel for the plaintiff now has informed the court that he has been unable to locate any heirs for the plaintiff and that an acquaintance of the plaintiff has advised him that there are no such heirs. Dkt. No. 155. Counsel requests that the court dismiss this case with prejudice. Id.

The court extends its heartfelt thanks to counsel, both for agreeing to represent the plaintiff and for making the effort to follow up after his passing.

Because no motion for substitution will be filed, the court **GRANTS** plaintiff's counsel's request and **ORDERS** that this case is **DISMISSED WITH PREJUDICE** under Federal Rule of Civil Procedure 41(a)(2).

Dated in Milwaukee, Wisconsin this 1st day of September, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge